

**FINAL PROGRAMMATIC ENVIRONMENTAL ASSESSMENT  
FOR  
VOLUNTARY PUBLIC ACCESS-HABITAT INCENTIVE PROGRAM  
STATE OF COLORADO**

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**United States Department of Agriculture  
Farm Service Agency**

**May 2011**

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## **Cover Sheet**

**Proposed Action:** The United States Department of Agriculture (USDA) Farm Service Agency (FSA) and the State of Colorado have agreed to implement a new Voluntary Public Access – Habitat Incentive Program (VPA-HIP). USDA has the statutory authority by the provisions of the Food Security Act of 2008, and the Regulations at 7 Code of Federal Regulations (CFR) 1410. VPA-HIP provides grants to State and tribal governments to encourage landowners and operators of privately held farm, ranch, and forest lands to voluntarily make the land available for access by the general public for wildlife related activities such as hunting, fishing, and other compatible recreation. The program can also provide funds to improve fish and wildlife habitat on private lands. The VPA-HIP is administered by the State or tribal government that receives grant funds.

**Type of Document:** Programmatic Environmental Assessment

**Lead Agency:** United States Department of Agriculture- Farm Service Agency

**Sponsoring Agency:** Colorado Division of Wildlife

**Cooperating Agency:** None

**Comments:** This Programmatic Environmental Assessment was prepared in accordance with United States Department of Agriculture- Farm Service Agency National Environmental Policy Act (NEPA) implementation procedures located in 7 CFR 700 and NEPA of 1969, Public Law 91-190, 42 United States Code 4321-4347, 1 January 1970, as amended.

A Notice of Availability was released on April 26, 2011 announcing a 30 day comment period. Copies of the document can be found on the USDA FSA website: [www.fsa.usda.gov](http://www.fsa.usda.gov). Comments will be accepted until May 26, 2011. Comments may be submitted via e-mail to: [ed.gorman@state.co.us](mailto:ed.gorman@state.co.us)

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**Finding of No Significant Impact**  
**Voluntary Public Access and Habitat Incentive Program**  
**State of Colorado**  
**March 2011**

**Introduction**

The United States Department of Agriculture Farm Service Agency proposes to implement a new program authorized by the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) in the State of Colorado. The Voluntary Public Access and Habitat Incentive Program (VPA-HIP) develops grants to State and tribal governments to encourage landowners and operators of privately-held farm, ranch, or forest land to voluntarily make that land available for access by the public for wildlife-dependant recreation, including hunting, fishing, and other compatible recreation and to improve habitat for fish and wildlife on their land. The VPA-HIP is administered by the State or tribal government that receives the grant funding.

The State of Colorado, through the Colorado Division of Wildlife (CDOW) proposes to use the VPA-HIP grant funding to expand its existing public access program to provide the public with the opportunity to hunt on private lands. The CDOW currently administers the Walk-In Access Program (WIA) working with hundreds of private landowners who voluntarily participate in the WIA Program. The WIA Program provides financial incentives to any private landowner who wishes to provide public access to their land that meet the habitat criteria of the program. Through the WIA Program, landowners have opened over 220,000 acres of private land to public hunting access in Colorado. The WIA Program has increased public awareness of the importance of private land to individuals who hunt, as well as those who do not hunt. It has also provided encouragement to landowners to provide public hunting and increased the knowledge of landowners, hunters, and the general public regarding hunting and wildlife habitat on private land.

**Preferred Alternative**

The Preferred Alternative is the Proposed Action. The Preferred Alternative consists of three main components: (1) expand the WIA Program where it is currently not being implemented; (2) restructure the compensation schedule for the WIA Program to demonstrate the added value of private lands for access; and (3) enhance public awareness for the WIA Program.

**Reasons of Finding of No Significant Impact**

As a result of the analysis provided in the Programmatic Environmental Assessment (PEA) and as identified in the regulations 1508.27 of the Council on Environmental Quality (CEQ), the Preferred Alternative would not result in a major State or Federal action affecting the human and natural environment. A Finding of No Significant Impact (FONSI) has therefore been prepared and it has been determined that an Environmental Impact Statement is not necessary. This determination is a result of the following:

1. The Preferred Alternative would not affect public health or safety.
2. The impacts created by the Preferred Alternative would be insignificant.
3. Any unique characteristics of the geographic region (cultural resources, parks, farmlands, wetlands, wild and scenic rivers, and ecological critical areas) would not be affected or would be preserved with the implementation of the Preferred Alternative.
4. The potential impacts to the quality of human life are considered non-existent or insignificant with the implementation of the Preferred Alternative.
5. The potential impacts of implementing the Preferred Alternative on the human environment are not significant nor do they involve unique or unknown risks.
6. The Preferred Alternative would not result in establishing a pattern for future actions with significant effects or result in a decision about future considerations.
7. The Preferred Alternative in combination with other recent, ongoing, or foreseeable future actions would not constitute significant cumulative impacts.
8. No districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places would be affected by the implementation of the Preferred Alternative.
9. The Preferred Alternative would not have adverse impacts to wildlife and their habitats, including endangered and threatened species under the Endangered Species Act of 1973.
10. The Preferred Alternative does not threaten a violation of any Federal, State, or local law or regulation imposed to protect the environment.

### **Determination**

Based on the analysis provided in the PEA and the FONSI, it is my determination that adoption of this Preferred Alternative does not constitute any major Federal action that would affect the quality of human and the natural environment. With the exception of any new data that may be identified during the public and agency review process of the Final PEA that would dramatically change the analysis provided in the PEA or the discovery of a significant controversial issue, the PEA and this FONSI are considered Final 30 days after the date of the approval signature.

Approved:



Signature

March 23, 2011

Date

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## **EXECUTIVE SUMMARY**

The United States Department of Agriculture Farm Service Agency proposes to implement a new program authorized by the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) in the State of Colorado. The Voluntary Public Access and Habitat Incentive Program (VPA-HIP) provides grants to individual states and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife related recreation, including hunting, fishing, and other compatible recreation and to improve aquatic and terrestrial wildlife habitat on their land. The VPA-HIP is administered by the State or tribal government that receives the grant funds from USDA FSA.

The State of Colorado, through the Colorado Division of Wildlife (CDOW) proposes to use VPA-HIP grant funds to expand the existing public access program to provide the public with more opportunities to hunt on private lands and to provide additional encouragement to owners and operators to make their land available to public access. The CDOW works closely with hundreds of landowners who currently voluntarily participate in the agency's Walk-In Access Program (WIA). The WIA Program provides financial incentives to landowners who voluntarily participate in the WIA Program. The WIA Program is administered by the CDOW through partnerships with Pheasants Forever, Conservation Districts, and other Non-profit Organizations (NGOs). This program has been well accepted by landowners, partners, local governments and community leaders and has opened more than 200,000 acres of private land to the public in Colorado. The VPA-HIP grant funds will be used solely to supplement and expand on the existing success's of the WIA Program. The CDOW also partners with Pheasants Forever to provide financial and technical assistance to private landowners to encourage them to enhance wildlife habitat on their land through the Pheasant Habitat Improvement Program (PHIP). This program will continue and will be used to augment the WIA Program, but will be funded solely through CDOW funding. These two successful programs increase public awareness regarding the importance of private lands to sportsmen that use it and demonstrate the positive economic benefits that private land habitat and access provide to landowners and local communities.

### **Proposed Action**

The Proposed Action consists of three main components: (1) expand the WIA Program where it is currently not being implemented; (2) restructure the compensation schedule for the WIA Program to demonstrate the added value of private lands for access; and (3) enhance public awareness for the WIA Program .

### **Purpose and Need**

The purpose of the Proposed Action is to use VPA-HIP grant funds to increase public access on private farms and ranches in the state of Colorado. The need for the Proposed Action is to increase the value realized by private landowners for wildlife inhabiting their property and increase the types and amount of public access on qualified private land.

### **Environmental Consequences**

This Programmatic Environmental Assessment has been prepared to analyze the potential environmental consequences associated with implementing the Proposed Action (Preferred Alternative) or the No Action Alternative. Under the Proposed Action, the CDOW would utilize VPA-HIP grant funds to expand the existing public access program (WIA Program) and as an additional incentive for landowners to participate in the program. Under the No Action Alternative, the WIA program would continue as it is currently being administered. The WIA program would not be expanded and enhanced incentives to landowners for participating in the program would not be realized.

The potential environmental consequences of implementing the Proposed Action would be beneficial overall to the natural environment and would increase hunting opportunities in the state. A summary of environmental consequences is provided in Table ES-1.

**Table ES-1 Summary of Environmental Consequences**

Resource	Proposed Action (Preferred Alternative)	No Action Alternative
Biological Resources (Vegetation, Terrestrial and Aquatic Wildlife, Protect Species, and Wetlands)	Habitat would not be altered by the expansion of the WIA Program. There would be minimal disturbance to any vegetation as access will be limited to foot traffic only. Impacts to Terrestrial and Aquatic resources would not be impacted as little disturbance will occur through walk-in traffic and the walk-in traffic will be restricted to species non-breeding time periods.	Expansion of the WIA Program would not occur and the additional funding for VPA-HIP would not be available for enhancing the program. The current WIA Program would remain intact with no further expansion.
Recreation	Short-term and long-term beneficial impacts to recreation are anticipated through the expansion of the WIA Program resulting in increased opportunities for hunting in the state.	Expansion of the WIA Program would not occur and there would be no use of VPA-HIP funding to expand or improve wildlife related recreation in Colorado. Current public access programs would continue.
Socioeconomics and Environmental Justice	Beneficial impacts to the local economy will be realized through WIA Program expansion and increased compensation. The expansion of the WIA Program will also be beneficial due to purchases such as lodging, meals, fuel, etc from sportsmen travelling through and accessing the private land. There would be no impacts to minority or low income populations; therefore, there are no environmental justice concerns.	Expansion of the WIA Program would not occur and there would be no VPA-HIP grant funding available. No direct impact would occur to local economies. Any beneficial impacts from the spending of VPA-HIP grant funds locally would not be realized. No Environmental Justice impacts would occur.
Air Quality	Very slight localized and temporary increases in particulate matter may occur during peak hunting activity due to increased traffic on some rural county roads. This would only occur in times of extremely dry conditions. Projects will adhere to all local, state and federal regulations to ensure no impacts to regional air quality occur.	Current public access program would continue. There would be no change to existing air quality.
Water Resources	No impacts to water resources would occur with the expansion of the WIA Program. The expansion of current access program will not occur near watersheds that would affect native riparian vegetation or stream-banks.	Expansion of the WIA Program would not occur and there would be no increase in funding for expansion of the program. No direct impacts to water quality would occur.
Soils	Very localized and short-term negative impacts to soils could occur in isolated instances where parking lots may be mowed. However, use of best management practices and adherence to local, state, and federal regulations will result in minimal soil disturbance.	Expansion of WIA Program would not occur. No direct impacts to soils would occur.

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## **ACRONYMS AND ABBREVIATIONS**

CEQ	Council of Environmental Quality
CFR	Code of Federal Regulations
CDNR	Colorado Department of Natural Resources
CDOW	Colorado Division of Wildlife
EA	Environmental Assessment
EO	Executive Order
FSA	Farm Service Agency
GPS	Global Positioning System
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
PEA	Programmatic Environmental Assessment
PHIP	Pheasant Habitat Improvement Program
RFW	Ranching for Wildlife
U.S.	United States
USACE	United States Army Corps of Engineers
USCB	United States Census Bureau
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
VPA-HIP	Voluntary Public Access and Habitat Incentive Program
WIA	Walk-In Access

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## **CHAPTER 1.0 INTRODUCTION**

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The United States Department of Agriculture (USDA) Farm Service Agency (FSA) proposes to implement a new program authorized by the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) in the State of Colorado. The Voluntary Public Access and Habitat Incentive Program (VPA-HIP) provides grants to State and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife associated recreation; including hunting, fishing, and other compatible recreation and to improve fish and wildlife habitat on their land. The VPA-HIP is administered by the State or tribal government that receives the grants.

The VPA-HIP is a competitive grants program that is only available for state and tribal governments. The grant funding may be used to expand existing public access programs or create new public access programs, or provide incentives to improve wildlife habitat on enrolled lands. Applicable program objectives of the State of Colorado are to:

- Expand the existing WIA Program where it is currently not being implemented;
- Supplement funding and services from other current federal, state, and private resources;
- Maximize participation by landowners by restructuring the compensation schedule; and
- Enhance the public awareness for the WIA Program.

The State of Colorado, through the Colorado Division of Wildlife (CDOW) proposes to use VPA-HIP grant funds to expand its existing Walk-In Access (WIA) Program to provide the public with more opportunities to hunt small game and to provide landowners with supplemental funding.

### **1.1 BACKGROUND**

#### **1.1.1 Pheasant Habitat Improvement Program**

The Pheasant Habitat Improvement Program (PHIP) is a joint venture of the CDOW, Pheasants Forever, Inc., and local Colorado Pheasants Forever Chapters. PHIP began in 1992 with 3 Chapters and has now grown to include 11 Chapters in eastern Colorado. PHIP has also developed partnerships with numerous other groups and agencies including but not limited to community groups, landowners, Future Farmer members, Boy Scouts, Conservation Districts, NRCS and FSA.

PHIP is funded through CDOW, who in turn partners with Pheasants Forever, Inc., and local Pheasants Forever Chapters. Chapter representatives work directly with private landowners and assist them with developing pheasant habitat on their land. Pheasants Forever Chapters negotiate an Agreement with the landowner, prepare and plant the sites, either directly or through subcontractors, and provide reimbursements to landowners. PHIP is currently operating with a budget of approximately \$200,000 per year.

The PHIP has targeted several management strategies to provide all of the life requisites of pheasants in eastern Colorado. Since 1992, PHIP has provided incentives for over 27,000 acres of food plots, 3,628 acres of warm season grass plantings, over 2,300 small shrub plantings, tall wheat stubble establishment on over 4,000 acres and CRP enhancement on nearly 46,000 acres. Landowners that choose to provide these pheasant habitat enhancements on their land may also decide to provide public hunting access through the WIA Program.

Figure 1-1 PHIP Project



PHIP will continue to be emphasized in the primary pheasant range of eastern Colorado. PHIP will continue to concentrate the habitat improvement projects in areas that overlap WIA Program geographic region in eastern Colorado with a goal of providing higher quality habitat for those areas that may be enrolled in the WIA Program. While PHIP will continue to be funded through CDOW game cash and no VPA-HIP will be used to augment the habitat improvement projects, it will continue to complement the WIA Program where applicable.

#### **1.1.2 Walk-In Access Program**

The WIA program began in 2001 with an initial enrollment of approximately 113,000 acres. The WIA program quickly expanded to 150,000 acres in 2002, and to over 220,000 acres annually in 2007-2010. The CDOW works closely with hundreds of landowners to encourage them to voluntarily participate in the WIA Program. The CDOW provides landowners with annual payments in exchange for allowing public access for hunting. Private lands generally enrolled in the WIA Program include Conservation Reserve Program (CRP) acres, sandsage and cholla rangelands, and cultivated cropland. A CDOW biologist or representative evaluates all land to be enrolled in the program to ensure the habitat is suitable and the wildlife species are present on the property. Properties are enrolled to offer hunting opportunities for a variety of wildlife species, including pheasant, dove, scaled and bobwhite quail, cottontail rabbit, furbearers, and in some cases ducks and geese. Some of the basic requirements of the program are:

- Access is restricted to a period from September through the end of March.
- Access is permitted from 1 hour before sunrise to 1 hour after sunset for all small game hunting except waterfowl. Waterfowl hunting access is restricted to 2 hours before sunrise to two hours after sunset.

- Access shall be by foot only. Entry by horseback, motorized vehicle or other means is prohibited.
- Access to all Walk-In properties is restricted to small game hunting only.
- Landowner compensation is based on habitat type and quality and number of acres.
- All hunters must comply with CDOW license requirements.

In 2010, the program provided access to approximately 220,000 acres in 22 counties, mostly in eastern Colorado. This program increases the public awareness of the value of private lands to wildlife conservation and the hunting tradition. It has also served as a financial incentive to landowners and an educational tool for hunters, landowners, and the general public.

## **1.2 THE PROPOSED ACTION**

The VPA-HIP grant funds are proposed to supplement current funding for the WIA program. Specifically, the VPA-HIP grant funds are proposed to expand the WIA program, restructure the landowner payment compensation schedule, and enhance public awareness of the program.

## **1.3 PURPOSE AND NEED FOR PROPOSED ACTION**

The purpose of the Proposed Action is to use VPA-HIP grant funds to increase public access to private lands for small game hunting in the State of Colorado. The need for the Proposed Action is to: increase the value realized by private landowners for wildlife populations inhabiting their property, increase the types and geographic location of public access through this program, and promote small game hunting throughout Colorado.

## **1.4 REGULATORY COMPLIANCE**

This Programmatic Environmental Assessment (PEA) has been prepared to satisfy the requirements of the National Environmental Policy Act (NEPA) (Public Law 91-190, 42 United States Code 4321 et seq.); implementing regulations adopted by the Council on Environmental Quality (CEQ) (40 Code of Federal Regulations (CFR) 1500-1508; and FSA implementing regulations, Environmental Quality and Related Environmental Concerns- Compliance with NEPA (7 CFR 799). The intent of NEPA is to protect, restore, and enhance the natural and human environment through well-informed Federal decisions. A variety of laws, regulations, and Executive Orders (EOs) apply to actions undertaken by Federal agencies and form the basis of the analysis presented in this PEA.

## **1.5 ORGANIZATION OF PEA**

This PEA assesses the potential impacts of the Proposed Action and the No Action Alternative on potentially affected environmental, social, and economic resources.

- Chapter 1.0 provides background information pertaining to the Proposed Action, and briefly discusses the purpose and need of the action.
- Chapter 2.0 describes the Proposed Action and the alternatives.
- Chapter 3.0 describes the baseline conditions (i.e., the conditions against which the potential impacts of the Proposed Actions and No Action alternatives are measured) for each of the potentially affected resources and the potential environmental impacts to those resources.
- Chapter 4.0 describes the potential cumulative impacts and irreversible and irretrievable resources commitments.
- Chapter 5.0 discusses the mitigation measures utilized to reduce or eliminate impacts to protected resources.
- Chapter 6.0 contains a list of the persons and agencies contacted during the preparation of this document.
- Chapter 7.0 lists the preparers of this document.
- Chapter 8.0 contains references.
- Appendix A lists agency correspondence.

## **CHAPTER 2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES**

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### **2.1 PROPOSED ACTION**

The CDOW proposes to use VPA-HIP grant funds of \$850,000 and the current CDOW Walk-In Access budget of \$800,000 to expand its existing public access program to provide the public with more opportunities to hunt small game on private land. Specific objectives include:

- Expand the WIA Program to areas within the geographic region of the current program.
- Maximize participation by landowners by restructuring the compensation schedule.
- Enhance the public awareness for the WIA Program.

Specific details of these objectives will be discussed in more detail in Sections 2.1.1 through 2.1.3.

#### **2.1.1 Expand the WIA Program**

The CDOW is divided administratively into 4 regions (Figure 2-1). Currently, the WIA Program is available to producers in counties in all of the regions, however the majority of the program enrollment occurs in the Northeast and Southeast Regions. The Northwest and Southwest Regions only have three and one county, respectively with active WIA Program enrollments. Under the Proposed Action, CDOW would expand the WIA Program within counties that already have WIA Program acres in the Northeast and Southeast Regions.

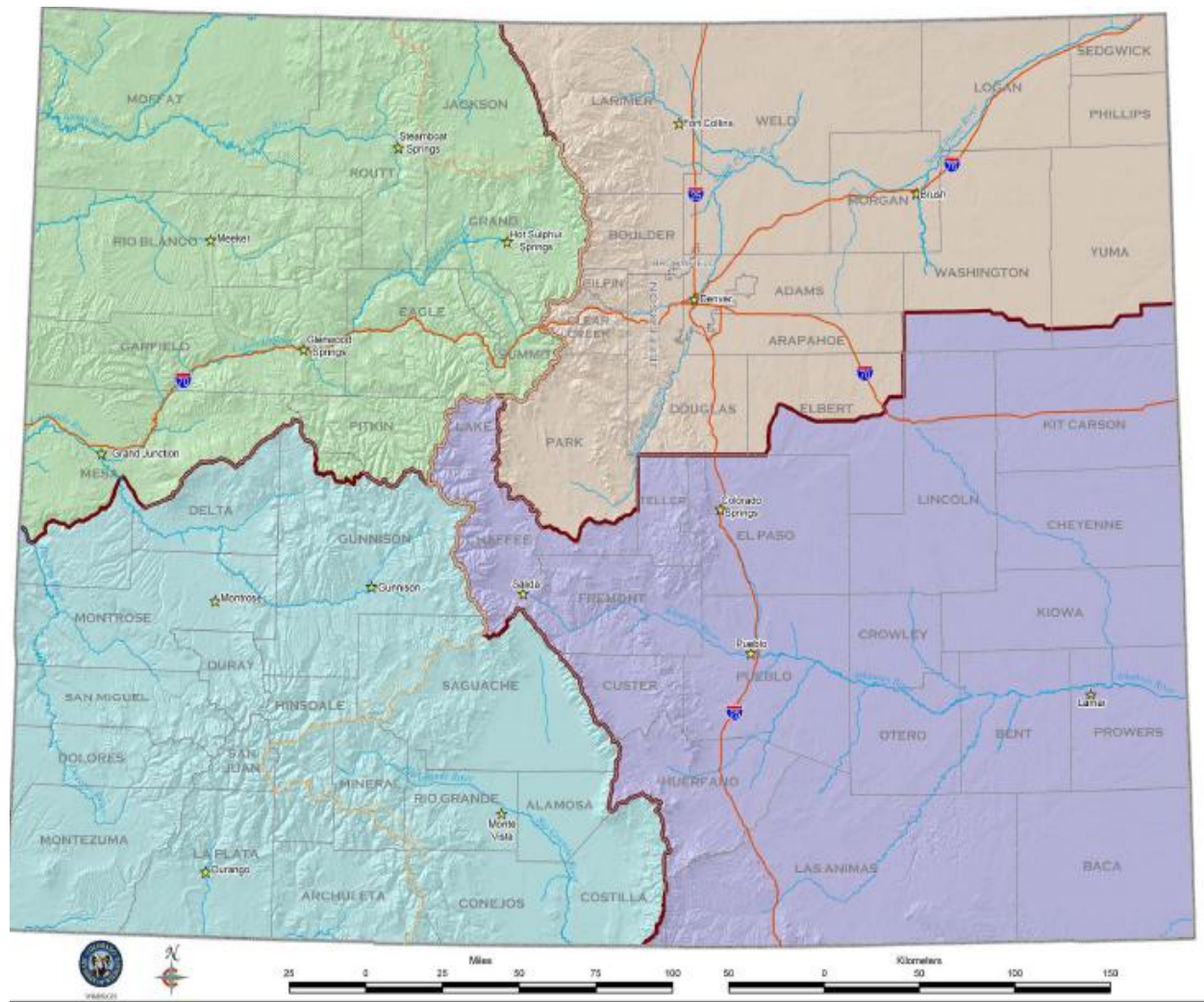
Over 19 million acres of private land are located in the Northeast and Southeast Regions as compared to approximately 7 million acres in the Northwest and Southwest regions. Public land such as United States Forest Service (USFS), Bureau of Land Management (BLM), and State Lands are plentiful in the Northwest and Southwest Regions. These lands are generally open to public hunting, therefore satisfying the demand for hunting in western Colorado. THE CDOW also administers the Ranching for Wildlife (RFW) Program that works with owners of larger private land parcels, primarily in western Colorado to develop habitat and provide public hunting access. Most of the small game and specifically pheasant range in Colorado occurs on the eastern plains; therefore emphasis on expansion of the program will be targeted toward the counties in the Southeast and Northeast Regions that are within the primary pheasant range where the program is currently being administered.

The WIA Program has grown since its development in 2001 at which time approximately 113,000 acres were enrolled. The enrollment into the WIA program in 2010 was near 220,000 acres. Acceptance into the WIA Program is determined through an evaluation process conducted by CDOW personnel or designees of CDOW. The evaluation process evaluates the individual offered parcels to determine the species present, abundance of targeted species, availability of essential habitat components, type of habitat (CRP, rangeland, or cropland) and overall habitat quality of the parcel being offered. Acceptable offered acres are enrolled into the program annually prior to the hunting seasons. Cropland acres are occasionally accepted later in the summer or fall to ensure habitat quality is adequate after crops are harvested. All acres enrolled into the WIA Program are signed and designated parking areas are posted as needed or desired by the landowner.

The state of Colorado has two Conservation Reserve Enhancement Program (CREP) Agreements with FSA; the High Plains (HP) CREP and the Republican River (RR) CREP. The HP CREP is specifically designed to provide habitat for pheasants in Logan, Phillips, Kit Carson, Sedgwick, and Yuma counties. The RR CREP is located in the same general geographic area, however the main emphasis of the RR CREP is to provide water conservation benefits in irrigated cropland. Additional emphasis will be placed on appropriate quality habitat enrolled through these two CREPs that may be eligible for the WIA Program.

The CDOW will follow the existing protocols established through the WIA program to deliver additional incentives and more acres through the use of VPA-HIP grant funds. VPA-HIP funding will be combined with current State and private dollars to provide private landowners with increased incentives to open their lands to public hunting. The added incentives will enhance the habitat value of the lands that are traditionally being enrolled and provide incentives for more landowners to enroll their land in the program.

Figure 2-1 Administrative Regions for CDOW



### 2.1.2 Restructure WIA Compensation Schedule

Landowners participating in the WIA program receive annual payments for permitting public access to their land. Land enrolled is evaluated each year to ensure habitat suitability for the species has been maintained or improved and no changes have been made that would make the parcel unacceptable for enrollment. Payments are made based on the type of habitat (grassed irrigation pivot corners, cropland, CRP land, and rangeland), quality of habitat (percentage of habitat exceeding 15 inches in height), and number of acres enrolled. Payment rates currently range from \$1.00 per acre for large rangeland parcels to \$12.00 per acre for grassed irrigation pivot



corners. Under the Proposed Action, CDOW proposes to provide increased annual rental payments to all payment schedules. The current and proposed payment schedule for the WIA Program is provided in Table 2.1-1 and Table 2.1-2.

**Table 2.1-1 Current Walk-In Access Landowner Payment Schedule**

Habitat Type	Current Payment Schedule (per acre)
All Habitat Types < 86 acres	\$3/acre
All Habitat Types 87-165 acres	\$275/ field
All Habitat Types 166-332 acres	\$375/field
All Habitat Types 333-640 acres	\$650/field
All Habitat Types 641-1,000 acres	\$1,000/field
All Habitat Types > 1,000 acres	\$1/acre
Grassed Irrigation pivot corners	\$10/acre

**Table 2.1-2 Proposed Walk-In Access Landowner Payment Schedule**

Habitat Type	Habitat Quality	Acres	Annual Payment Schedule
Sand-sage, cholla rangeland, wheat stubble, CRP, odd areas	Average=wheat stubble >15" Average= CRP > 15" Odd Areas= Dove habitat	1 to xxxx	\$1.00 per acre
CRP	Good = Switchgrass (>50%) w/ 2-3 species additional warm season grasses and/or early successional CRP	1 to xxxx	\$2.50 per acre
CRP	Better = Switchgrass (>50%) w/ 2-3 species additional warm season grasses. Food plots and/or mid-contract management treatments required	1 to xxxx	\$4.00 to \$5.00 per acre
Pivot Corners	Excellent= Switchgrass (>50%) w/ 2-3 species additional warm season grasses and forbs or milo cover crops, food plots or standing crops	1 to xxxx	\$10.00 to \$12.00 per acre
Dove Parcels	Homestead only	5	\$300.00 per homestead
Dove Parcels	Homestead with 5 acres of unharvested millet or sunflower	5	\$750.00 per homestead
Dove Parcels	Windmill with spillway, 5 acres surrounding and access path	5	\$500.00 per site
Goose Fields	Corn stubble, green wheat, alfalfa, and other suitable fields	1 to xxxx	\$10.00 to \$12.00 per acre
Riverbottom	With cover >15" and river or slough frontage	1 to xxxx	\$750.00 per 300 yard segment or; \$15.00 per acre
Ponds	Shallow water wetlands or roosting ponds plus access	1 to 3	\$500.00 per pond

	<b>path</b>		
<b>Ponds</b>	<b>Shallow water wetlands or roosting ponds plus access path</b>	<b>3 to 5</b>	<b>\$800.00 per pond</b>
<b>Ponds</b>	<b>Shallow water wetlands or roosting ponds plus access path</b>	<b>&gt;5</b>	<b>\$1,000.00 per pond</b>
<b>Ponds</b>	<b>Shallow water wetlands or roosting ponds plus access path and surrounding acres meeting eligibility</b>	<b>1 to xxxx</b>	<b>Pond rate plus normal rate for cover type</b>

### 2.1.3 Enhance Public Awareness for Walk-In Access Program

The CDOW publishes two WIA Program atlases annually to provide locations of walk-in parcels, regulations pertaining to the program, and detailed information regarding the program. One atlas is published in August and provides information and Walk-In property locations pertinent to parcels that are open to walk-in hunting beginning September 1<sup>st</sup> of each year. The second atlas is published in October and provides all the information in the first atlas, plus any properties that were enrolled in the program between August and October. The new parcels are generally cropland parcels that could not be evaluated and enrolled until the crops had been harvested.

The atlases are printed and provided to over 800 locations statewide, including CDOW offices, hunting license agents, and most retail stores that carry hunting and fishing supplies. The atlases are also published as downloadable pages on the CDOW website (<http://wildlife.state.co.us/Hunting/SmallGame/WalkInAccess/>).

Each parcel enrolled in the WIA Program is mapped using Global Positional System (GPS). Parcels are physically marked with at least one sign at each corner of the enrolled land to ensure locations and boundaries are clear (Figure 2-2). Additionally, a designated area may be physically identified near the parcel to indicate parking areas. Parking Area signs are only provided if requested by the landowner enrolling the parcel.

In addition to expanding the number of acres and restructuring the landowner payment schedule, VPA-HIP grant funds will be used to provide additional atlases, signs, and one temporary employee to locate, map and sign the enrolled parcels. Expanded efforts will also be conducted to notify landowners enrolled in the HP and RR CREPs to ensure they are informed of the opportunity to participate in the WIA Program.

Figure 2-2 Walk-In Access Parcel with Sign



## **2.2 ALTERNATIVES**

CEQ regulations (40 CFR §1502.14) requires the lead agency to identify all reasonable alternatives for implementing a Proposed Action. The Federal Register Notice announcing the rule for VPA-HIP (Vol. 75 (130), page 39135) states the purpose of the VPA-HIP is to provide grants to State and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife dependant recreation and to improve fish and wildlife habitat on their land. Each VPA-HIP application received by USDA FSA was exposed to a detailed selection process to ensure that the proposals awarded grant funding met the program objectives.

The CDOW considered alternative strategies for the VPA-HIP grant funding, however these alternative strategies would not have met the overall purpose and need of the program to improve habitat and increase public access for wildlife dependant recreation. The CDOW also considered expanding the PHIP along with the expansion of the WIA Program using the VPA-HIP grant funds, but PHIP currently has sufficient funding through CDOW and some private funding, therefore the expansion of the PHIP was not necessary. The PHIP funding has been used in the past to leverage funding provided through CRP, CREP, and other USDA conservation programs, therefore it was determined that the VPA-HIP grant funds would provide the most public benefit through the expansion of the WIA Program. Based on this analysis and the overall program goals, the only reasonable action alternative is the Proposed Action.

## **2.3 NO ACTION ALTERNATIVE**

The No Action Alternative would result in the VPA-HIP grant funding not being implemented in the State of Colorado. The WIA Program would not be expanded, the proposed landowner incentive adjustments could not be implemented, and the public awareness for the program would not be enhanced. The current WIA Program would continue, but at a similar or reduced rate of participation. The No Action Alternative does not meet the



purpose and need of the Proposed Action, but is being carried forward in accordance with CEQ regulations to serve as a baseline against which the impacts of the Proposed Action are measured.

## **2.4 RESOURCES ELIMINATED FROM ANALYSIS**

CEQ regulations (40 CFR §1501.7) state that the lead agency shall identify and eliminate from detailed analysis the issues which are not important or which have been sufficiently studied in prior environmental review, narrowing the discussion within this PEA to a brief presentation of why they would not have dramatic effect on the natural or human environment.

The Proposed Action consists of three main objectives; expanding the WIA Program, restructuring the WIA Program landowner payment schedule, and enhancing public awareness of the WIA Program. Two of the three components are strictly administrative in nature and therefore are not included in the analysis. The expansion of the WIA Program will have the greatest potential for environmental impacts however the potential direct and indirect impacts will be dependent on specific activities, location and time of year. The CDOW currently addresses each individual parcel enrolled in the WIA Program and will continue to evaluate and monitor enrolled parcels annually. CDOW biologists and the Small Game Manager undertake proper measures to minimize any impacts and/or consult with the responsible agencies or authority, if necessary to prevent any undesirable consequences. The HP CREP and the RR CREP both required PEAs (USDA 2006). The analysis within the PEA for these CREPs is current and therefore provides sufficient environmental review in the general geographic region of the current Proposed Action. Based on the discussion above, from a programmatic standpoint, the Proposed Action would have little to no impact on the following resources:

*Noise.* The Proposed Action would not create any new permanent sources of noise to the environment. Although expanding the WIA Program may introduce noise from gunfire on areas that previously may not have been enrolled in the program, the noise would be intermittent, only occur during daylight hours, and only occur during specific hunting seasons. The WIA already establishes safety zones near dwellings, which would be maintained through the expanded WIA Program. Due to the size of the WIA parcels and the relative sparse human densities in the region, noise from gunfire would generally not be heard outside of the hunting parcel. Occasionally, a landowner may request a parking area to be designated on or near the walk-in access parcel. Parking area development could require the use of a tractor and mower. This activity would be localized, temporary, only occur during daylight hour, and would likely produce lower noise levels than occur on active agricultural land.

*Human Health and Safety.* No components of the Proposed Action would directly or indirectly impact human health or safety. The goal of the Proposed Action is to increase public access on private land for the purpose of hunting small game. While hunting does pose a small safety risk, the activity would occur on private land with controlled access. All hunters are required to meet minimum age requirements, possess a small game license, and a Hunter Education Certificate is required for all hunters born after 1948. Additionally, Colorado Revised Statutes (CRS) 33-6-122 prohibits the discharge of a firearm in such a way to endanger human life or property. Any operation of equipment such as tractors would be done in accordance with existing safety guidelines.

*Land Use.* The Proposed Action would not result in any changes in land use designations. The Proposed Action would occur exclusively on private lands through voluntary enrollment and would not require the alteration of land use.

*Transportation.* No portion of the Proposed Action would result in any alteration of the current transportation system in the State of Colorado. Providing access on additional land through the WIA Program may cause a slight increase in traffic, but the increase would be restricted to a very isolated area of the state and a short duration during the year. It is highly unlikely that this minor increase would result in any impact to the transportation system, but rather a redistribution of local traffic on a temporary basis.

*Cultural Resources.* The Proposed Action would not directly or indirectly result in any impacts on cultural resources, either architectural or archeological. The CDOW is extremely sensitive to the importance of cultural resources, and no portion of the Proposed Action would result in the purposeful destruction of any cultural resources. The CDOW is a Division within the Department of Natural Resources (DNR), and as such, consultations with DNR specialists regarding cultural resources are common. The CDOW, as a matter of policy, avoids activities that would jeopardize any cultural resources within the state. No impacts to cultural resources would occur under the Proposed Action.

*Coastal Zones.* Colorado is a land-locked state, therefore it has no coastal zones. There are manmade reservoirs within the area of the Proposed Action, however the Proposed Action would not impact these resources. Potential water resource impacts are discussed in Section 3.4.

*Other Formally Classified Lands.* The Proposed Action will only be implemented on private land. The only formal classification applicable on private lands in Colorado would be Prime and Unique Farmland. The Proposed Action does not include removing these lands from agricultural production or otherwise altering their land use. Hence, there would be no impacts to any formally classified lands.

## CHAPTER 3.0      **AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES**

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This chapter describes the existing conditions that have the potential to be affected by the implementation of the Proposed Action and the potential environmental impacts that may occur on the described resources. Resource areas identified as potentially being impacted by the Proposed Actions and discussed in this PEA are:

- Biological Resources (Vegetation, Terrestrial, and Aquatic Wildlife, and Protected Species)
- Recreation
- Socioeconomics and Environmental Justice
- Air Quality
- Water Resources
- Soils

As referenced in Chapter 2, this PEA describes the potential impacts from implementing VPA-HIP grant funds in the State of Colorado on a programmatic level. Individual site-specific analysis for all proposed WIA Program parcels will be conducted by CDOW staff and/or CDOW designees. Where applicable, the PEA for Colorado's Republican River Basin and High Plains Region Conservation Reserve Enhancement Program will be referenced in this PEA. The individual parcel evaluations and this PEA serve as the full NEPA documentation.

Environmental consequences to each resource area are described for the Proposed Action (Preferred Alternative) and No Action Alternative:

- **Proposed Action (Preferred Alternative):** utilize VPA-HIP grant funds to expand the existing WIA Program
- **No Action Alternative:** continuation of the existing WIA Program as they are currently administered. No expansion or additional financial incentives for enrollment would occur.

### **3.1      BIOLOGICAL RESOURCES**

Biological resources are defined as any characteristic or feature of the natural environment that adds to the fundamental value of the local area. For the purpose of this PEA, biological resources include vegetation, terrestrial wildlife, aquatic wildlife, and protected species. Vegetation, terrestrial and aquatic wildlife refer to the plant and animal species, both native and introduced, which are indigenous to this region. Protected species include species that are protected by the Endangered Species Act (ESA) and those protected by State law. Biological resources are included in this PEA because, under rare circumstances, WIA Program parcels could have the potential to temporarily disturb a portion of the natural environment during implementation. Additionally, the expansion of the WIA Program and increasing hunting activities may increase the potential for impacting game species populations.

#### **3.1.1      Affected Environment**

The affected environment for biological resources is the area encompassed by the proposed WIA Program expansion in eastern Colorado. Specifically, the affected environment encompasses all or portions of Weld, Logan, Sedgwick, Phillips, Morgan, Washington, Yuma, Lincoln, Kit Carson, Cheyenne, Pueblo, Crowley, Kiowa, Bent, Prowers, Las Animas, and Baca counties in eastern Colorado. A brief discussion of the vegetation within this area is described in Section 3.1.1.1, terrestrial and aquatic wildlife and protected species are described in Section 3.1.1.2.

##### **3.1.1.1      Vegetation**

Ecoregions are areas that are comprised of ecological systems that contain fairly similar soils, vegetation, climate, and geology. The area of the proposed VPA-HIP grant funding is within the Dry Domain Ecoregion and Great Plains-Palouse Dry Steppe Province (Bailey 1995). This area is characterized as an area where annual losses of

water through evaporation generally exceed annual gains from precipitation. Vegetation native to this area includes a variety of species that are adapted to low precipitation levels. Trees are usually not present or if present are isolated to small ribbons along stream corridors.

The area within the VPA-HIP boundary is defined as flat to rolling plains and tablelands of moderate relief. Topography gradually slopes eastward from an altitude of approximately 5,500 ft. (1,520 m) near the foothills to 2,500 ft (760 m) in the Central States (State of Colorado 2005a). The affected area lies within the rain shadow east of the Rocky Mountains with the majority of the rainfall occurring in the summer months.

Historically, much of the affected area consisted of native prairie supporting mid-grass and warm-season grass complexes with short grass communities on some of the heavier soils. Native vegetation on the Great Plains Grasslands east of the Rocky Mountains are scattered with some shrubs, such as sagebrush (*Artemisia* spp.) and rabbitbrush (*Chrysothamnus* spp.). Native vegetation is dependent on soils, climate, and location and range from switchgrass (*Panicum* spp.) Indiangrass (*Sorghastrum* spp.) and bluestems (*Andropogon* spp.) on the lighter soils to buffalo grass (*Buchloe* spp), grama (*Bouteloua* spp.), and needlegrass (*Achnatherum* spp) on the heavier more loamy soils (State of Colorado 2005a). Most of the native prairie has been converted to agriculture crops such as winter wheat, corn, alfalfa, sorghum, and millet. Significant portions of the sand-sage prairie remains, although much of it is fragmented with the interspersed of cropland.

There are numerous invasive species that are found within the affected area (Table 3-1). Most of these plants are a result of accidental introductions from Europe or Asia. In some cases, these invasive, non-native plants can displace native vegetation.

**Table 3-1 Invasive Species found in the Affected Area**

Common Name	Scientific Name
Canada Thistle	<i>Cirsium arvense</i>
Diffuse Knapweed	<i>Centaurea diffusa</i>
Field Bindweed	<i>Convolvulus arvensis</i>
Hoary Cress	<i>Cardaria draba</i>
Jointed Goatgrass	<i>Aegilops cylindrica</i>
Leafy Spurge	<i>Euphorbia esula</i>
Musk Thistle	<i>Carduus nutans</i>
Perennial Pepperweed	<i>Lepidium latifolium</i>
Purple Loosestrife	<i>Lythrum salicaria</i>
Russian Knapweed	<i>Acroptilon repens</i>
Showy Milkweed	<i>Asclepias speciosa</i>
Spotted Knapweed	<i>Centaurea maculosa</i>

### **3.1.1.2 Terrestrial Wildlife, Aquatic Wildlife and Protected Species**

Terrestrial and aquatic species refer to the mammals, birds, fish, reptiles, amphibians, mollusks, and crustaceans that occur within the affected area. The CDOW has legal authority over the management and protection of a total of 960 species that occur throughout the state. Approximately 186 species are pursued recreationally through activities such as hunting and fishing. The CDOW manages wildlife at the species, subspecies, and population level, as well as managing the various types of habitats that support them (CDOW 2005a). Table 3-2 provides a list of some of the more common species found in the affected area.

**Table 3-2 Common Wildlife and Aquatic Species within the Affected Area**

Common Name	Scientific Name
American Badger	<i>Taxidea taxus</i>
Black-tailed Jackrabbit	<i>Lepus californicus</i>
Black-tailed Prairie Dog	<i>Cynomys ludovicianus</i>
Bobwhite	<i>Colinus virginianus</i>
Scaled Quail	<i>Callipepla squamata</i>
Coyote	<i>Canis latrans</i>
Eastern Cottontail	<i>Sylvilagus floridanus</i>
Mule Deer	<i>Odocoileus hemionus</i>
Pronghorn	<i>Antilocarpa americana</i>
White-tailed Deer	<i>Odocoileus virginianus</i>
American Kestrel	<i>Falco sparverius</i>
American Robin	<i>Turdus migratorus</i>
Cassin's Sparrow	<i>Aimophila cassinii</i>
Common Nighthawk	<i>Chordeiles minor</i>
Eastern Kingbird	<i>Tyrannus tyrannus</i>
Grasshopper Sparrow	<i>Ammodramus savannarum</i>
Great Horned Owl	<i>Bubo virginianus</i>
Greater Prairie Chicken	<i>Tympanuchus cupido</i>
Horned Lark	<i>Eremophila alpestris</i>
Lark Bunting	<i>Calamospiza melanocorys</i>
Lesser Prairie Chicken	<i>Tympanuchus pallidicinctus</i>
Mourning Dove	<i>Zenaida macroura</i>
Ring-necked Pheasant	<i>Phasianus colchicus</i>
Western Kingbird	<i>Tyrannus verticalis</i>
Orange-throated Darter	<i>Etheostoma spectabile</i>
Plains Minnow	<i>Hybognathus placitus</i>
Stonecat	<i>Noturus flavus</i>
Fence Lizard	<i>Sceloporus undulatus</i>
Ornate Box Turtle	<i>Terrapene ornata</i>
Plains Garter Snake	<i>Thamnophis radix</i>
Western Hognose Snake	<i>Heterodon nasicus</i>
Great Plains Toad	<i>Bufo cognatus</i>
Tiger Salamander	<i>Ambystoma tigrinum</i>
Woodhouse's Toad	<i>Bufo woodhousii</i>

The affected area encompasses almost the entire range of the ring-necked pheasant (*Phasianus colchicus*) found within the state of Colorado. The ring-necked pheasant is considered an economically important species by the CDOW because it provides income to local economies through lodging, food, fuel and incentives to private landowners. Pheasant population trend data is collected annually by the CDOW which provides a good indicator of habitat quality not only for pheasants, but for other ground nesting birds (State of Colorado 2005a).

Greater prairie chickens occur in the northeast part of the affect area. Greater prairie chickens are fairly common bird, and although hunted on a limited basis, are most popular as a viewed species in the spring of the year. They occur in the sand-sage bluestem community that has been retained in large enough blocks to support greater prairie chicken populations.

Protected species refer to those species that are either protected by the ESA or state laws and regulations. In Colorado, there are 11 species listed by the Federal Government as endangered and 8 listed as threatened. Of those, only three of the species listed as endangered and 2 listed as threatened may occur in the affected area

(NDIS 2006). The CDOW also provides statewide recognition of rare species using a state designation of Endangered (SE), Threatened (ST), and Species of Special Concern (SC). Federal and State protected species are listed in Table 3-3.

**Table 3-3 Protected Species Likely to Occur in the Affect Area**

Common Name	Scientific Name	Status
<b>Mammals</b>		
Black-footed Ferret	Mustela nigripis	FE, SE
Black-tailed Prairie Dog	Cynomys ludovicianus	SC
Northern Pocket Gopher	Thomomys talpoides macrotis	SC
Northern River Otter	Lontra canadensis	ST
Swift Fox	Vulpes velox	SC
<b>Birds</b>		
American Peregrine Falcon	Falco peregrines anatum	SC
Bald Eagle	Haliaeetus leucocephalus	FT,ST
Ferruginous Hawk	Buteo regalis	SC
Greater Sandhill Crane	Grus canadensis tabida	SC
Least Tern	Sterna antillarun	FE, SE
Lesser Prairie Chicken	Tympanuchus pallidicinctus	ST
Long-billed Curlew	Numenius americanus	SC
Mountain Plover	Charadrius montanus	SC
Piping Plover	Charadrius melodus circumcinctus	FT, ST
Plains Sharp-tailed Grouse	Tympanuchus phasianellus jamesii	SE
Western Snowy Plover	Charadrius alexandrinus	SC
Whooping Crane	Grus americana	FE, SE
<b>Fish</b>		
Brassy Minnow	Hybognathus hankinsoni	ST
Flathead Chub	Playgobio gracilis	SC
Plains Minnow	Hybognathus placitus	SE
Plains Orange-throated Darter	Etheostoma specabile	SC
Stonecat	Noturus flavus	SC
Suckermouth Minnow	Phenacobius mirabilis	SE
<b>Reptiles</b>		
Common Garter Snake	Thamnophis sirtalis	SC
Massasauga	Sistrus catenatus	SC
Midget Faded Rattlesnake	Crotalus viridis concolor	SC
Yellow Mud Turtle	Kinosternon flavescens	SC
<b>Amphibians</b>		
Northern Cricket Frog	Acris crepitans	SC
Northern Leopard Frog	Rana pipiens	SC
FT= Federally Threatened FE= Federally Endangered ST= State Threatened		
SE= State Endangered SC= State Special Concern		

### 3.1.2 Environmental Consequences

Impacts to biological resources would be considered significant if activities as a result of implementing the Proposed Action reduced the wildlife or aquatic wildlife populations to a level of concern, resulted in removing or otherwise impacting unique vegetation, or resulted in the incidental take of a protected species or its habitat.

### **3.1.2.1 Proposed Action (Preferred Alternative)**

Under the Proposed Action, the WIA Program would be expanded to new acres within the affected area and additional incentives would be provided to cooperating landowners. The CDOW would administer the WIA Program similar to how it is currently being implemented. The specific impacts of each individual enrollment would be addressed by CDOW staff or designee to ensure that minimal impacts would occur to wildlife or their habitat. Programmatic-level impacts to vegetation, terrestrial and aquatic wildlife, and protected species are described in greater detail below.

#### *Vegetation and Terrestrial Wildlife*

Under the Proposed Action, the expansion of the WIA Program would not have any significant impact on vegetation in the affected area. PHIP funds will be used to enhance habitat in the region and will continue to focus on improving habitat on private land.

The CDOW manages game species in such a way to ensure that harvest does not negatively affect the populations. All species are managed to ensure the long-term viability and health of the species. Season lengths, bag limits, manner of take, and other regulations for each species ensure that populations are maintained or increased and can sustain annual harvest. The expansion of the WIA Program through the VPA-HIP grant funds to increase hunting opportunities would not result in any adverse impacts to terrestrial wildlife.

#### *Aquatic Wildlife*

The Proposed Action does not involve any activities that would affect aquatic wildlife. The expansion of the WIA Program does not include fishing access and therefore no adverse impacts to aquatic wildlife are anticipated.

#### *Protected Species*

Protected species within the affected area will not be impacted by the Proposed Action. Most of the activities associated with expansion of the WIA Program will occur during the fall and winter. Most disturbances that have the potential to impact protected species occur in the spring during the breeding season. Furthermore, many of the protected bird species that may occur in the area are migratory and would not be present during the time period that the WIA Program would be most active. In the event that it may be necessary, informal consultation with U.S.F.W.S. would occur on individual projects.

### **3.1.2.2 No Action Alternative**

Under the No Action Alternative, the WIA Program would not be expanded and the VPA-HIP grant funding would not be utilized to expand the program and increase incentives for participation in the program. The existing WIA Program would continue to be available.

## **3.2 Recreation**

Recreation is defined as those outdoor activities that take place outside of the residence of the participant. Colorado offers a wide array of outdoor recreational activities including but not limited to hunting, fishing, wildlife viewing, camping, boating, skiing, hiking, biking and rock climbing. This PEA will focus on hunting opportunities available to the public within the affected area of Colorado.

### **3.2.1 Affected Environment**

The CDOW regulates all hunting within the state of Colorado through Title 33 of the Colorado Revised Statutes (CRS) or CDOW Regulations. All small game hunters are required to purchase a valid Small Game License or Combination Small Game Hunting and Fishing License. In addition, those individuals born after 1948 that wish to

hunt in Colorado are required to pass a Hunter Safety Course and possess a Hunter Safety Certificate. A Habitat Stamp is also necessary and is generally purchased at the time the individual license is purchased.

### **3.2.2 Environmental Consequences**

Impacts to recreation would be considered significant if they drastically reduced recreational opportunity or significantly degraded other aspects of recreation. Impacts to other resources within or near areas being used for recreation by the public would also be considered significant.

#### **3.2.2.1 Proposed Action (Preferred Alternative)**

The implementation of the Proposed Action would have a positive long-term impact on recreational resources by increasing the opportunity to hunt on private land. The expansion of the WIA Program would create additional opportunities for citizens to enjoy the recreational activities associated with the program. Specifically, the expansion of the WIA Program would create more opportunities to hunt on private land.

#### **3.2.2.2 No Action Alternative**

Under the No Action Alternative, the WIA Program would not be expanded and additional recreational opportunities would not be provided. There would be no use of VPA-HIP funds for the expansion of the WIA Program in Colorado. The current public access program would continue as it is currently administered.

### **3.3 Socioeconomics and Environmental Justice**

Socioeconomics for this PEA includes an investigation of human population and demographic statistics within the affected area. There is also discussion regarding the income derived from hunting licenses and permits and the value of hunting to local economies.

As specified in EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico and the Commonwealth of the Mariana Islands”. A minority population is defined by race, by ethnicity, or by a combination of the two classifications.

CEQ defines a minority as being American Indian, Alaskan native, Asian, Pacific Islander, Black or Hispanic. A minority population is defined as one of the above mentioned groups where the population exceeds 50 percent of the general population (CEQ 1997). Ethnicity is defined as “being either Hispanic or not being Hispanic origin”. Hispanic origin is specifically defined as “a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race” (USCB 2009).

The USCB defines poverty levels measured by median household income and the number of persons living within the household. Low income individuals are those that fall below the specific poverty threshold as defined by USCB. If 20% of a specific area has income below the poverty level, the area is referred to as a poverty area. If 40% of residents fall below the poverty threshold, the census area is considered an extreme poverty area.



### **3.3.1 Affected Environment**

#### **3.3.1.1 Population and Demographics**

Colorado has a population estimated at 5,024,748 according to the most recent USB figures (USCB 2009). Colorado's population grew by 16.8 percent from 2000 to 2009, making it 3<sup>rd</sup> in country in terms of growth. Over 50 percent of the growth in Colorado is attributed to migration from other states and 38 percent is attributed to natural population growth. (Bouvier & Stein. 2001). The majority of the population growth can be attributed to 5 counties along the Front Range.

Colorado's population is predominately white with approximately 71 percent claiming that designation according to the 2009 Census responses (USCB 2009). Hispanic or Latino ranked second in the state, with 20.3%, followed by Black or African American (4.4 percent), Asians (2.7%), and American Indians (1.2 percent). Other races accounted for approximately 0.4 percent in the 2009 Census (USCB 2011).

Population changes within the affected area show population increases of as much as almost 41 percent in Weld County, near the Front Range, to population decreases of approximately 24 percent in Kiowa County, along the Colorado-Kansas border. Overall, population fluctuations within the affected area have averaged somewhat less than the statewide average of 16.8 percent.

Hispanics make up the second largest ethnic group within Colorado. Within the affected area, Hispanics were also the second largest ethnic group, representing approximately 22 percent of the population.

In 2009, Colorado had 11.2 percent of the population that fell below the poverty level, as compared to the national rate of approximately 13.4 percent falling in that category. Over 86% of Colorado's population were high school graduates, with approximately 33 percent holding a bachelor's degree or higher (USCB 2009).

The unemployment rate for Colorado was 8.8 percent in 2010, compared to the national unemployment rate of 9.4 percent. Colorado's median household income was \$57,184 in 2009. The median household income within the affected area ranged from \$55,845 in Weld County to a low of \$31,603 in Crowley County in the southeast part of the state.

#### **3.3.1.2 Private Landowner and Community Benefits from Hunting**

The Proposed Action of expanding the WIA Program and enhancing payments to landowners has the potential to directly impact the income of private landowners and communities within the affected area. In 2006, there were 36,200 farms and ranches in Colorado, comprising approximately 31,093,366 acres of private farms and ranches. (CDA 2007). Cropland acres within the state comprised 11,530,700 acres in 2006. In the counties within the affected area, there were 11,821 farms and ranches (37% of state total), comprising 22,591,497 acres (34% of state total), of which 8,418,116 acres (73% of state total) were cropland acres. Most of the WIA Program acres enrolled have been associated with cropland acres and the expansion of the program will likely continue to focus near these acres. Landowners within the affected area that are eligible for inclusion into the WIA Program can receive annual compensation payments for the acres they enroll. The WIA Program is estimated to provide over \$600,000 in direct private landowner incentive payments with the addition of the VPA-HIP grant funds (Gorman. 2011).

Direct expenditures as a result of hunting and fishing in Colorado is estimated at over \$1 billion in 2007 (BBC Research & Consulting). Primary and secondary expenditures as a result of hunting and fishing accounted for an estimated \$1.8 billion and approximately 20,614 jobs in Colorado in 2007. Within the affected area, primary and secondary expenditures were over \$96 million and \$149 million respectively and contributed toward an estimated 1613 jobs. The expansion of the WIA Program should provide a positive effect on direct expenditures and indirect spending within the affected area.

The CDOW funds the WIA Program at approximately \$400,000 annually. The majority of this funding is used to fund private contractors that deliver the program and reimburse landowners that enroll land in the program. Currently, landowners that enroll land in the WIA Program are paid annually based on the size of the field, plus a bonus for enrolling irrigation pivot corners (see Table 2.1-1). With the addition of the VPA-HIP grant funds that will in essence double the budget for the program, CDOW is proposing a slightly higher annual payment to producers and additional incentives for higher quality habitat (see Table 2.1-2).

### **3.3.2 Environmental Consequences**

The setting of the Proposed Action can determine the significance of an impact to socioeconomics and can vary depending on how the effects may induce change in the land use patterns, population densities, or population growth rate (40 CFR 1508.8).

Environmental justice occurs when everyone, regardless of race, culture, or income, enjoys the same degree of protection from environmental and health hazards. If a Proposed Action resulted in access to the decision-making process being denied due to race, color, or income or if any adverse impacts occurred that would affect minority or low-income populations disproportionately, the action would be considered to have significant environmental justice impacts.

#### **3.3.2.1 Proposed Action (Preferred Alternative)**

Under the Proposed Action, a total of \$1,640,636 (\$840,636 VPA-HIP grant from USDA-FSA and \$800,000 from CDOW) will be used to expand the WIA Program and provide additional incentives to landowners for their participation in the program. The funds will also be used to contract with at least 9 organizations that will assist in the delivery of the program and to hire one temporary employee, purchase materials, and publish outreach materials.

The influx of these new dollars through the WIA Program will have a slight beneficial impact to the local economies. Increasing hunting opportunities by providing more and higher quality habitat could also generate additional indirect benefits through increased demands for lodging, meals, fuel, and related services. The potential increase in hunter numbers as a result of more and better access could result in additional revenue that CDOW could use to further expand hunting opportunities.

Under the Proposed Action, there would be no disproportionate affect on minorities or low income populations in Colorado. The WIA Program is voluntary and would only target those landowners that have eligible land and are willing to participate. The WIA Program will actually provide additional opportunities to low income hunters, as access to the lands by hunters with a valid hunting license is free.

#### **3.3.2.2 No Action Alternative**

Under the No Action Alternative, CDOW would not receive funding under the VPA-WIA grant and would not expand the WIA Program. No additional acres would be enrolled in the program and increases in compensation to landowners that enroll in the program would not occur. The No Action Alternative would eliminate the opportunity for positive economic impacts from the introduction of VPA-HIP grant funding and would not allow for increases in hunting opportunities in the affected area. No additional economic benefits through increased spending on lodging, meals, fuel, or other services associated with hunting would occur.

### **3.4 Air Quality**

The Clean Air Act regulates air quality in the U.S. The United States Environmental Protection Agency (USEPA) established criteria for acceptable levels of ozone, carbon monoxide, sulfur dioxide, nitrous oxide, lead, and particulate matter. For the purposes of this PEA, air quality is limited to a discussion of particulate matter since the Proposed Action may have a slight chance of increasing particulate matter. No other air pollutants will be affected as a result of the actions associated with this PEA.

#### **3.4.1 Affected Environment**

Population levels, topography, and climatic conditions are responsible for the majority of the potential air quality concerns within the affected area. Air quality in the affected area is significantly better than it was prior to conservation practices that have been implemented over the past 25 to 50 years (State of Colorado, 2005a). Particulate matter concerns arise when airborne particulates exceed thresholds that could potentially affect human health through inhalation or disruption of visibility (CAQDR 2007).

#### **3.4.2 Environmental Consequences**

Air quality impacts would be considered significant if the action resulted in a violation of air quality standards, resulting in a permanent increase of particulate matter.

##### **3.4.2.1 Proposed Action (Preferred Alternative)**

The Proposed Action would have little air quality impact to the affected area or the region around the affect area. The increase of the land available for the WIA Program would not require activities that would impact air quality. In most cases, the increase in the number of acres available for new access would occur on farmland that is currently being farmed or currently in CRP. Any impacts from soil disturbance that might occur from the mowing of parking areas would be extremely minor, temporary, and localized in nature.

##### **3.4.2.2 No Action Alternative**

Under the No Action Alternative, the WIA Program would not be expanded through the use of VPA-HIP funding. CDOW would continue to implement the current WIA Program with no increase in the number of acres enrolled. No air quality impacts would result from the No Action Alternative.

### **3.5 Water Resources**

The Clean Water Act, the Safe Drinking Water Act, and the Water Quality Act provide protection of the nation's waters. For the purpose of this PEA, surface water quality is the water resource that will be investigated. No other water quality resources will be affected by the actions proposed in this PEA.

#### **3.5.1 Affected Environment**

Surface water within the affected area includes several perennial streams, numerous intermittent streams, and numerous man-made reservoirs. Several major streams cross the affected area. These river systems include the South Platte, Republican, and the Arkansas. These streams and reservoirs provide recreational opportunity, wildlife habitat, and contribute to agriculture production within the affect area (USGS 2006).

### **3.5.2 Environmental Consequences**

Water resources impacts are considered significant if the increase in the number of acres enrolled in the WIA Program resulted in a violation of local, state, or federal laws or regulations established to protect water resources, or the actions resulted in a decrease water quality within the region.

#### **3.5.2.1 Proposed Action (Preferred Alternative)**

No significant impacts to water resources as a result of the Proposed Action are expected. The expansion of the WIA Program through the addition of land available for public access will not result in activities that will impact water resources. The majority of the additional acres of access will be enrolled on farmland or CRP and will not be associated with riparian areas or reservoirs.

#### **3.5.2.2 No Action Alternative**

Under the No Action Alternative, the WIA Program would not be expanded to include additional acres available for access. No VPA-HIP grant money would be used for this increase. The current WIA Program would continue to be administered with the current number of acres with no impacts to water resources.

### **3.6 Soils**

Soils are considered in this PEA because of the minor potential for increased soil erosion as a result of mowing of parking lots on a few of the WIA Program sites.

#### **3.6.1 Affected Environment**

Soils within the affected area vary based on differences in geology, topography, and climatic conditions. Soils within the affected area are generally deep and fairly fertile. The predominant geologic unit of the High Plains aquifer is the Miocene-aged Ogallala formation of the Tertiary period (State of Colorado 2005b). This geological unit consists primarily of unconsolidated to semi-consolidated sands, gravels, clays, and silts.

The history of the deposits within the High Plains aquifer is complex because the deposits are the result of fluvial (stream deposited) and eolian (wind-deposited) sediments. Braided streams that flowed eastward through the area served as the primary source of deposition, however during the Quaternary period, the climate turned colder and drier and resulted in wind-deposited sediments overlaying the primary fluvial deposits.

#### **3.6.2 Environmental Consequences**

Impacts to soil resources will be considered significant if implementation of the Proposed Action resulted in increased erosion or sedimentation, or the Proposed Action affects topographical or unique soil conditions.

##### **3.6.2.1 Proposed Action (Preferred Alternative)**

The Proposed Action has a minor potential to result in soil resources impacts, however any impacts would be temporary and localized in nature. The only potential for any negative impacts on soil resources may occur when and if parking areas are mowed on select WIA Program parcels. The size of the parking area and the amount of residual retained within the parking area will be monitored to ensure that protection from wind erosion is provided on these areas. These site-specific minor impacts will be fully addressed by minimizing the size of the parking areas and retaining residual vegetation on the area sufficient to prevent erosion. Although not funded through the VPA-HIP grant funding, the CDOW PHIP habitat projects, once completed, will have a long-term beneficial impact to the soil resources of the affected area.

**3.6.2.2 No Action Alternative**

Under the No Action Alternative, the WIA Program would not be expanded and no additional acres will be enrolled in the program. The CDOW would continue the current WIA Program, therefore there would be no impacts to soils under the No Action Alternative.

## **CHAPTER 4.0 CUMULATIVE IMPACTS AND IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

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### **4.1 CUMULATIVE IMPACTS**

CEQ regulations stipulate that the cumulative effects analysis within a PEA consider the potential environmental impacts resulting from the “incremental impacts of the action when added to past, present, reasonably foreseeable actions regardless of what agency or person undertakes such actions”. CEQ guidelines affirms this under the “Considering Cumulative Effects” section, which states that the first step in assessing cumulative effects requires defining the scope of the other actions and their interrelationship with the proposed action. Geographic and temporal overlaps among the proposed action and other actions must be considered when defining the scope of the interrelationship.

Other actions overlapping with or in very close proximity to the Proposed Action are more likely to have a potential for a relationship than those actions that are more geographically separated. One could also expect that those actions that occurred during the same period as the proposed action would have a higher potential for cumulative effects than those that may be separated by time.

In this PEA, the affected area for cumulative impacts is the counties where lands will be enrolled in the WIA Program in Colorado. For the purpose of this analysis, there is no Federal or State program other than the CDOW WIA Program that focus on public access to private lands. There are several Federal and State programs in Colorado that focus on habitat and wildlife conservation within the affected area that have long-term beneficial impacts to wildlife populations and habitat. Programs such as CREP, CRP, Wildlife Habitat Incentives Program (WHIP), Environmental Quality Incentives Program (EQIP), and the State’s PHIP are currently active within the affected area. CDOW along with their partners work closely with FSA and NRCS in the delivery of the federal programs. Federal and state habitat programs have proven to be beneficial to the objectives of the WIA program.

The potential for long-term impacts from projects under the VPA-HIP grant in Colorado in combination with wildlife habitat conservation practices applied through federal and state program would have an overall long-term beneficial impact to wildlife populations, habitat, and public access within the affected area. Providing additional public access, increasing public awareness, and demonstrating the value of quality habitat to producers and the general public, along with the delivery of federal and state conservation programs would provide cumulative impacts that are beneficial to the environment within the affected area.

### **4.2 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

NEPA requires that environmental analysis include identification of any irreversible or irretrievable commitments of resources which would be involved if the proposed action were implemented. Irreversible and irretrievable commitments pertain to the use of nonrenewable resources and effects that the use of these resources may have on future generations. Irreversible effects would result from the consumption or destruction of a specific resource that cannot be replaced within a reasonable time frame. Irretrievable resource commitments entail the loss of a resource through the Proposed Action that cannot be replaced or restored. Under the Proposed Action, long-term beneficial impacts are expected, therefore no irreversible or irretrievable resource commitments are anticipated.

## **CHAPTER 5.0            MITIGATION MEASURES**

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According to CEQ Regulations, the purpose of mitigation is to avoid, minimize, or eliminate any negative impacts due to the Proposed Action. CEQ Regulations (40 CFR 1508.20) further states that mitigation shall include:

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- Compensating for the impact by replacing or providing substitute resources or environments.

CEQ regulations state that all relevant reasonable mitigation measures that could avoid or minimize significant impacts should be identified, even if they are outside the jurisdiction of the lead agency or cooperating agencies. This would aid in notifying agencies or officials who could then implement any extra measures necessary. The lead agency for this Proposed Action is FSA. The cooperating agency is the CDOW.

No long-term significant negative impacts are anticipated with the expansion of the WIA Program through the VPA-HIP in Colorado. CDOW employees or representatives under the direction of the CDOW Small Game Manager will complete all specific enrollment evaluations prior to implementation of the program. Any discovery of potentially protected resources on properties offered for enrollment into the WIA Program will be avoided or consultation with the appropriate agency to identify specific mitigation measures will be explored to reduce or eliminate any negative impacts. For the purpose of this proposed action, there are no negative impacts, therefore mitigation measures or a mitigation matrix is not required.

## **CHAPTER 6.0      PERSONS AND AGENCIES CONTACTED**

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Colorado Farm Bureau

Colorado Association of Conservation Districts

Colorado Pheasants Forever

Colorado Farm Service Agency

Colorado Natural Resources Conservation Service

Colorado Department of Natural Resources

Republican River Water Conservation District



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## **CHAPTER 8.0      LIST OF PREPARERS**

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**APPENDIX A AGENCY CORRESPONDENCE**